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May 25, 2001

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MAY 30 2001

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Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Re: U.S. Patent Application
Serial No.: 09/484,895
Filed: January 18, 2000
For: Compositions and Methods for Non-Targeted Activation of Endogenous
Genes
Inventor(s): Harrington, et. al.
Attorney Docket No.: 0221-0003G

Dear Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office:

1. Response to Restriction Requirement; and
2. Postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

Respectfully submitted,

SHANKS & HERBERT

Joseph G. Contrera
44,628

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PATENT
MAY 30 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE TECH CENTER 1600/2900

In re Application of:
Harrington, *et al.*

Application No.: 09/484,895

Filed: January 18, 2000

For: **COMPOSITIONS AND METHODS
FOR NON-TARGETED ACTIVATION
OF ENDOGENOUS GENES**

Group Art Unit: 1632

Examiner: Beckerleg, A.

Attorney Docket No.: 0221-0003G

BOX NON-FEE AMENDMENT
Commissioner of Patents
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

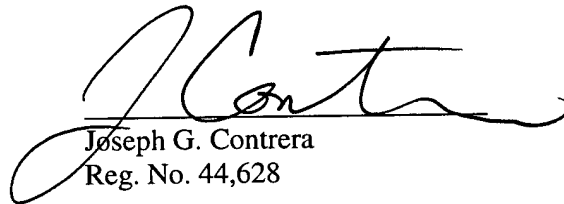
This is in response to the Office Action dated March 29, 2001, in which the Examiner has required restriction between Groups I-IV. Applicants hereby elect without traverse to prosecute the claims of Group I (claims 58-92, 97, 113-116). The Examiner has also required Applicants to elect species for certain claims in Group I. Applicants hereby elect species 1, (the vector of claim 58) for claims 72-75, 78-79, 87, and 92; Applicants hereby elect species 3, (puromycin) for claim 113; and Applicants hereby elect species 2, (thymidine kinase) for claim 114. Applicants elect and expressly reserve the right to file divisional applications or take such other appropriate measures deemed necessary to protect the inventions in the remaining claims.

Should the Examiner have further questions or comments with respect to examination of this case, it is respectfully requested that the Examiner telephone the undersigned attorney so that further examination of this application can be expedited.

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in accompanying documents. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 CFR §1.136(a), and any fees required therefore are hereby authorized to be charged to Deposit Account No. 50-0622, referencing Attorney Docket No. 0221-0003G.

Respectfully submitted,

SHANKS & HERBERT


Joseph G. Contrera
Reg. No. 44,628

Date: May 25, 2001

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